

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

PABLO HERNANDEZ,

Plaintiff,

v.

MULE CREEK STATE PRISON,

Defendant.

No. 2:20-cv-0817 KJN P

ORDER AND FINDINGS &
RECOMMENDATIONS

By order filed April 30, 2020, plaintiff was advised that he must file a complaint in order to commence an action. Fed. R. Civ. P. 3. Plaintiff was granted thirty days to file a complaint, and was cautioned that failure to do so would result in a recommendation that this matter be dismissed. Thirty days from that date have now passed, and plaintiff has not filed a complaint, or otherwise responded to the court's order.

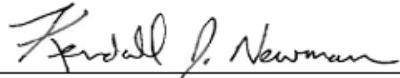
In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

IT IS RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within **thirty** days after being served with these findings and recommendations, plaintiff may file written objections with

1 the court and serve a copy on all parties. Such a document should be captioned
2 "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that
3 failure to file objections within the specified time may waive the right to appeal the District
4 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

5 Dated: June 23, 2020

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7 KENDALL J. NEWMAN
8 UNITED STATES MAGISTRATE JUDGE

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